



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Phillip E. Byrd

Serial No.: 09/888,689

Filed: June 25, 2001

For: METHOD TO PREVENT DAMAGE
TO PROBECARD

Confirmation No.: 1027

Examiner: R. Chang

Group Art Unit: 3729

Attorney Docket No.: 2269-4715US

Notice of Allowance Mailed:

June 2, 2006

NOTICE OF EXPRESS MAILING

Express Mail Mailing Label Number: EV669816761US

Date of Deposit with USPS: August 17, 2006

Person making Deposit: Brett Hooke

TRANSMITTAL LETTER

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant submits herewith Part B - Fee(s) Transmittal for the above-captioned application and a Request to Apply Previously Paid Issue Fee to Issue Fee Required by New Notice of Allowance. Also enclosed is a Fee Addressee for Receipt of PTO Notices Relating to Maintenance Fees.

Applicant understands that no additional fees are required. However, if the Office determines that any comparison fees or other additional fees are required, the Commissioner is

Serial No. 09/888,689

authorized to charge any such fees to TraskBritt Deposit Account No. 20-1469. A copy of this Transmittal Letter is enclosed for deposit account charging purposes.

Respectfully submitted,



James R. Duzan
Registration No. 28,393
Attorney for Applicant
TRASKBRITT
P.O. Box 2550
Salt Lake City, Utah 84110-2550
Telephone: 801-532-1922

Date: August 17, 2006

JRD/dlm:lmh

Enclosures: Part B - Issue Fee Transmittal
Copy of Transmittal Letter
Request to Apply Previously Paid Issue Fee to Issue Fee Required by New Notice
of Allowance, with attached copy of Decision on Petition (total of 3 pages)
Fee Addressee for Receipt of PTO Notices Relating to Maintenance Fees (2 pages)

Document in ProLaw



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(00-1057.00/US)

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**REQUEST TO APPLY PREVIOUSLY PAID ISSUE FEE TO ISSUE FEE REQUIRED
BY NEW NOTICE OF ALLOWANCE**

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the Decision on Petition mailed May 23, 2006 (a copy of which is attached hereto), Applicant respectfully requests that the issue fee, publication fee, and extra copies fee paid December 9, 2004 in the total amount of \$1,715.00 be applied to the fees due under the new Notice of Allowance mailed June 2, 2006.

This Request is submitted simultaneously with the new Issue Fee Transmittal Form PTOL-85(b) and accompanying papers.

Respectfully submitted,



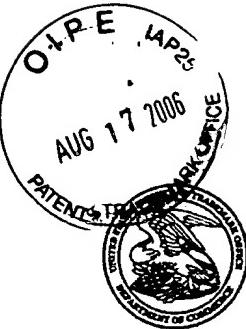
James R. Duzan
Registration No. 28,393
Attorney for Applicant
TRASKBRITT
P.O. Box 2550
Salt Lake City, Utah 84110-2550
Telephone: 801-532-1922

Date: August 17, 2006

JRD/dlm:lmh

Enclosure: Copy of Decision on Petition mailed May 23, 2006

Document in ProLaw



UNITED STATES PATENT AND TRADEMARK OFFICE

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MAY 26 2006

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

TRASKBRITT, P.C.

COPY MAILED

TRASK BRITT
P.O. BOX 2550
SALT LAKE CITY, UT 84110

MAY 23 2006

OFFICE OF PETITIONS

In re Application of :
Phillip E. Byrd :
Application No. 09/888,689 :
Filed: June 25, 2001 :
Attorney Docket No. 4715US(00-1057) :

ON PETITION

This is a decision on the petition, filed May 12, 2006, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is GRANTED.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on December 9, 2004 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

Telephone inquiries should be directed to the undersigned at (571) 272-3208.

The examiner of Technology Center AU 3729 will consider the request for continued examination under 37 CFR 1.114.

Karen Creasy
Petitions Examiner
Office of Petitions

¹ The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b), which includes the following language thereon: "Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above." Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85).